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8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 CENTEX HOMES,

12 Plaintiff,

13 v.

14 ST. PAUL FIRE AND MARINE
15 INSURANCE COMPANY, a Connecticut
16 corporation; EVEREST NATIONAL
INSURANCE COMPANY, a Delaware
17 corporation; INTERSTATE FIRE &
CASUALTY COMPANY; an Illinois
18 corporation; LEXINGTON INSURANCE
COMPANY, a Delaware corporation;
19 FEDERAL INSURANCE COMPANY; an
Indiana corporation; and ADMIRAL
20 INSURANCE COMPANY, a New Jersey
Corporation,

21 Defendants.

22 EVEREST NATIONAL INSURANCE
COMPANY, a Delaware corporation,

23 Counterclaimant,

24 v.

25 CENTEX HOMES, a Nevada general
26 partnership,

27 Counterdefendant.
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Case No. 2:17-cv-02407-JAD-VCF

**STIPULATION FOR DISMISSAL
WITH PREJUDICE OF DEFENDANT
LEXINGTON INSURANCE COMPANY
AND ORDER**

ECF No. 285

1 EVEREST NATIONAL INSURANCE
2 COMPANY, a Delaware corporation,

3 Cross-Claimant,

4 v.

5 INTERSTATE FIRE & CASUALTY
6 COMPANY, an Illinois corporation,

7 Cross-Plaintiff.

8 ST. PAUL FIRE AND MARINE
9 INSURANCE COMPANY,

10 Third-Party Plaintiffs,

11 v.

12 UNDERWRITERS AT LLOYDS LONDON;
13 PROBUILDERS SPECIALTY INSURANCE
14 COMPANY, RRG; NEW HAMPSHIRE
15 INSURANCE COMPANY; FIRST
16 SPECIALTY INSURANCE COMPANY;
17 ARCH SPECIALTY INSURANCE
18 COMPANY; IRONSHORE SPECIALTY
19 INSURANCE COMPANY; ROCKHILL
20 INSURANCE COMPANY; and FIREMAN'S
21 FUND INSURANCE COMPANY,

22 Third-Party Plaintiffs.


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IT IS HEREBY STIPULATED by and between Plaintiff CENTEX HOMES ("Plaintiff")
and Defendant LEXINGTON INSURANCE COMPANY ("Defendant"), through their respective
attorneys of record, that Plaintiff's Complaint filed against Defendant shall be dismissed with
prejudice pursuant to FRCP 41(a)(2). Plaintiff and Defendant shall bear their own attorneys' fees
and costs.

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1 Dated: November 4, 2020	Dated: November 4, 2020
2 PAYNE & FEARS LLP	KAUFMAN DOLOWICH VOLUCK LLP
3	
4 By: <u>/s/ Sarah J. Odia</u>	By: <u>/s/ Christine Magarian</u>
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13	Attorneys for Defendant
14	LEXINGTON INSURANCE COMPANY

ORDER

Based on the parties' stipulation [ECF No. 285] and good cause appearing, IT IS
HEREBY ORDERED that Plaintiff's claims against Defendant Lexington Insurance Company are
DISMISSED with prejudice, each side to bear its own fees and costs.



U.S. District Judge Jennifer A. Dorsey
Dated: November 5, 2020